



# Journal of the House

State of Indiana

112th General Assembly

First Regular Session

Forty-ninth Meeting Day

Thursday Morning

April 19, 2001

The House convened at 10:00 a.m. with the Speaker in the Chair.

The invocation was offered by the Reverend Michael Nicholson, Mount Calvary Missionary Baptist Church, Fort Wayne, the guest of Representative Winfield C. Moses, Jr..

The Pledge of Allegiance to the Flag was led by Representative Moses.

The Speaker ordered the roll of the House to be called:

T. Adams	Hoffman
Aguilera	Kersey
Alderman	Klinker
Atterholt	Kromkowski
Avery •	Kruse
Ayres	Kruzan
Bardon	Kuzman
Bauer	Lawson
Becker	Leuck
Behning	Liggett
Bischoff	J. Lutz
Bodiker	Lytle
Bosma	Mahern
Bottorff	Mangus
C. Brown	Mannweiler
T. Brown	McClain
Buck	Mellinger
Budak	Mock
Buell	Moses
Burton	Munson
Cheney	Murphy
Cherry	Oxley
Cochran	Pelath
Cook	Pond
Crawford	Porter
Crooks	Richardson
Crosby	Ripley
Day	Robertson
Denbo	Ruppel
Dickinson	Saunders
Dillon	Scholer
Dobis	M. Smith
Dumezich	V. Smith
Duncan	Steele
Dvorak	Stevenson •
Espich	Stilwell
Foley	Sturtz
Frenz	Summers
Friend	Thompson
Frizzell	Tincher
Fry	Torr
GiaQuinta	Turner
Goeglein	Ulmer
Goodin	Weinzapfel
Grubb	Welch
Harris	Whetstone
Hasler	Wolkins
Herndon	D. Young
Herrell	Yount
Hinkle	Mr. Speaker

Roll Call 635: 97 present; 2 excused. The Speaker announced a quorum in attendance. [NOTE: • indicates those who were excused.]

## MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators a conference committee to confer on Engrossed House Bill 1074:

Conferees: Wheeler and Lewis

MARY C. MENDEL  
Principal Secretary of the Senate

## MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators a conference committee to confer on Engrossed House Bill 1117:

Conferees: Merritt and Blade

MARY C. MENDEL  
Principal Secretary of the Senate

## MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators a conference committee to confer on Engrossed House Bill 1120:

Conferees: Server and R. Young

MARY C. MENDEL  
Principal Secretary of the Senate

## MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators a conference committee to confer on Engrossed House Bill 1170:

Conferees: Merritt and Craycraft

MARY C. MENDEL  
Principal Secretary of the Senate

## MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators a conference committee to confer on Engrossed House Bill 1193:

Conferees: Harrison and Craycraft

MARY C. MENDEL  
Principal Secretary of the Senate

## MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators a conference committee to confer on Engrossed House Bill 1195:

Conferees: Landske and Sipes

MARY C. MENDEL  
Principal Secretary of the Senate

## MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators a conference committee to confer on Engrossed House Bill 1206:

Conferees: Long and Howard

MARY C. MENDEL  
Principal Secretary of the Senate

## MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators a conference committee to confer on Engrossed House Bill 1249:

Conferees: Server and Bowser

MARY C. MENDEL  
Principal Secretary of the Senate

## MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators a conference committee to confer on Engrossed House Bill 1278:

Conferees: R. Meeks and Blade

MARY C. MENDEL  
Principal Secretary of the Senate

## MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators a conference committee to confer on Engrossed House Bill 1288:

Conferees: Long and L. Lutz

MARY C. MENDEL  
Principal Secretary of the Senate

## MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators a conference committee to confer on Engrossed House Bill 1341:

Conferees: Lewis and Wheeler

MARY C. MENDEL  
Principal Secretary of the Senate

## MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators a conference committee to confer on Engrossed House Bill 1395:

Conferees: Merritt and Craycraft

MARY C. MENDEL  
Principal Secretary of the Senate

## MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators a conference committee to confer on Engrossed House Bill 1480:

Conferees: Borst and Simpson  
Advisors: Wyss and Hume

MARY C. MENDEL  
Principal Secretary of the Senate

## MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators a conference committee to confer on Engrossed House Bill 1549:

Conferees: Weatherwax and Rogers

MARY C. MENDEL  
Principal Secretary of the Senate

## MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators a conference committee to confer on Engrossed House Bill 1553:

Conferees: Harrison and Craycraft

MARY C. MENDEL  
Principal Secretary of the Senate

## MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators a conference committee to confer on Engrossed House Bill 1821:

Conferees: Landske and Craycraft

MARY C. MENDEL  
Principal Secretary of the Senate

## MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators a conference committee to confer on Engrossed House Bill 1849:

Conferees: Landske and Rogers

MARY C. MENDEL  
Principal Secretary of the Senate

## MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators a conference committee to confer on Engrossed House Bill 1901:

Conferees: Gard and Simpson

MARY C. MENDEL  
Principal Secretary of the Senate

## MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators a conference committee to confer on Engrossed House Bill 1925:

Conferees: Ford and Hume

MARY C. MENDEL  
Principal Secretary of the Senate

## MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators a conference committee to confer on Engrossed House Bill 1962:

Conferees: Harrison and Craycraft

MARY C. MENDEL  
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators a conference committee to confer on Engrossed House Bill 1971:

Conferees: Wyss and S. Smith

MARY C. MENDEL  
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators a conference committee to confer on Engrossed House Bill 2042:

Conferees: Gard and Broden

MARY C. MENDEL  
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators a conference committee to confer on Engrossed House Bill 2126:

Conferees: Server and Alexa

MARY C. MENDEL  
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators a conference committee to confer on Engrossed House Bill 2130:

Conferees: Skillman and Blade

MARY C. MENDEL  
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that pursuant to Rule 81(c) of the Standing Rules and Orders of the Senate, President Pro Tempore Robert D. Garton has made the following change in conferees appointments to Engrossed Senate Bill 176:

Conferee: Broden replacing Hume  
Advisor: BreauX replacing Broden

MARY C. MENDEL  
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has not concurred in House amendments to Engrossed Senate Bill 418 and the President Pro Tempore has appointed the following Senators a conference committee to meet and confer with a like committee of the House on said bill, and to report thereon:

Conferees: Riegsecker, Chair; and Antich

MARY C. MENDEL  
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has not concurred in House amendments to Engrossed Senate Bill 433 and the President Pro Tempore has appointed the following Senators a conference committee to meet and confer with a like committee of the House on said bill, and to report thereon:

Conferees: Johnson, Chair; and Craycraft

MARY C. MENDEL  
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has not concurred in House amendments to Engrossed Senate Bill 445 and the President Pro Tempore has appointed the following Senators a conference committee to meet and confer with a like committee of the House on said bill, and to report thereon:

Conferees: Nugent, Chair; and Craycraft

MARY C. MENDEL  
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has not concurred in House amendments to Engrossed Senate Bill 486 and the President Pro Tempore has appointed the following Senators a conference committee to meet and confer with a like committee of the House on said bill, and to report thereon:

Conferees: Wheeler, Chair; and Lewis

MARY C. MENDEL  
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has not concurred in House amendments to Engrossed Senate Bill 524 and the President Pro Tempore has appointed the following Senators a conference committee to meet and confer with a like committee of the House on said bill, and to report thereon:

Conferees: Kenley, Chair; and Rogers

MARY C. MENDEL  
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has not concurred in House amendments to Engrossed Senate Bill 538 and the President Pro Tempore has appointed the following Senators a conference committee to meet and confer with a like committee of the House on said bill, and to report thereon:

Conferees: Johnson, Chair; and Alexa

MARY C. MENDEL  
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has not concurred in House amendments to Engrossed Senate Bill 561 and the President Pro Tempore has appointed the following Senators a conference committee to meet and confer with a like committee of the House on said bill, and to report thereon:

Conferees: Johnson, Chair; and Simpson

MARY C. MENDEL  
Principal Secretary of the Senate

MESSAGE FROM THE GOVERNOR

Mr. Speaker and Members of the House: On April 17, 2001, I signed into law House Enrolled Act 1892.

FRANK O'BANNON  
Governor

MESSAGE FROM THE GOVERNOR

Mr. Speaker and Members of the House: On April 18, 2001, I signed into law House Enrolled Acts 1025, 1043, 1089, 1099, 1211, 1228, 1233, 1417, 1424, 1602, 1629, 1644, 1739, 1935, 1948, 1967, 2031, and 2119.

FRANK O'BANNON  
Governor

## CONFEREES AND ADVISORS APPOINTED

The Speaker announced the following changes in appointment of Representatives as conferees and advisors:

ESB 33      Advisors: Dvorak added

## REPORTS FROM COMMITTEES

### COMMITTEE REPORT

Mr. Speaker: Your Committee on Rules and Legislative Procedures reports that, pursuant to House Rule 67, the following technical corrections are to be made to Engrossed House Bill 1578:

Page 2, line 10, delete "twenty five" and insert "**twenty-five**".

Page 3, line 3, after "(\$24,000)" insert ";".

Page 5, line 39, delete "realtor's" and insert "**realtors**".

Page 26, line 28, delete "annual".

Page 26, line 39, delete "IC-6-8.1-2," and insert "**IC 6-8.1-8-2**".

(Reference is to EHB 1578 as reprinted April 12, 2001.)

MOSES, Chair

Report adopted.

## RESOLUTIONS ON FIRST READING

### House Concurrent Resolution 121

Representatives Scholer, Klinker, Leuck, Richardson, Bosma, Crosby, Herndon, Foley, Whetstone, Duncan, Mannweiler, Espich, Dumezich, Ruppel, Thompson, Cherry, Burton, Dillon, T. Brown, Saunders, Becker, Murphy, Ripley, Cheney, Weinzapfel, Budak, D. Young, Alderman, Ulmer, Grubb, Oxley, Bodiker, Crooks, Stevenson, Goodin, Herrell, Aguilera, Mellinger, Frenz, Dvorak, Kruse, Welch, M. Smith, Goeglein, and Bischoff introduced House Concurrent Resolution 121:

A CONCURRENT RESOLUTION honoring the 2000-2001 Purdue University Women's Basketball Team on its spectacular season resulting in a 31-7 record, a Big Ten title and a runner-up finish in the NCAA Tournament.

*Whereas, The Purdue women finished the season 31-7 overall, 14-2 in the Big Ten and had quality wins over Boston College, Stanford, Texas Tech, Xavier, and Southwest Missouri State on their way to the national championship game;*

*Whereas, Coach Kristy Curry led the team to another successful season;*

*Whereas, Assistants Pam Stackhouse, Kerry Cremeans, Kelly Curry, and athletic trainer Stacy Romoser were also responsible for the wonderful leadership which was the key to the club's success;*

*Whereas, The Boilermakers were 15-1 in Mackey Arena where they inspired the home crowd;*

*Whereas, The team outscored its opponents by an average of 13.8 points and had a 3.6 rebound advantage per game;*

*Whereas, Seniors Katie Douglas and Camille Cooper led the team in scoring with 15.5 and 14.2 points per game respectively;*

*Whereas, Freshman Shalicia Hurns led the way in rebounding with 6.6 per game and she was named to the NCAA Women's Final Four All-Tournament Team;*

*Whereas, Camille Cooper was selected to the first team All-Big Ten, First team Academic All-American, Big Ten All-Tournament Team and Mideast Regional All-Tournament Team;*

*Whereas, Katie Douglas was a 2000-2001 Naismith award finalist and Kodak All-American, enjoyed Big Ten Player of the Year honors, as well as being selected first team All-American by the AP, first team Academic All-American, and was also included on the Big Ten's All-Tournament Team and NCAA Women's Final Four All-Tournament Team;*

*Whereas, Kelly Komara was the Most Outstanding Player of the Mideast Regional and honorable mention All-Big Ten;*

*Whereas, Shereka Wright was named to the NCAA Women's final*

*Four All-Tournament Team;*

*Whereas, Shereka Wright and Shalicia Hurns were named to the Big Ten All-Freshman Team;*

*Whereas, Shalicia Hurns was named honorable mention All-Big Ten;*

*Whereas, We wish seniors Camille Cooper, Candi Crawford, Katie Douglas, Mo-nique Langston, and Shinika Parks well in their future endeavors and appreciate their efforts over the past four successful seasons; and*

*Whereas, The Boilermakers should be strong contenders next season due to several key returning players: Therefore,*

*Be it resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring:*

SECTION 1. That the Indiana General Assembly congratulates the Purdue University Women's Basketball Team for its outstanding accomplishments in the 2000-2001 season.

SECTION 2. That the Principal Clerk of the Indiana House of Representatives is directed to transmit copies of this resolution to: team members—Camille Cooper, Candi Crawford, Katie Douglas, Lindsey Hicks, Shalicia Hurns, Beth Jones, Kelly Komara, Mo-nique Langston, Laura Meadows, Mary Jo Noon, Shinika Parks, Erika Valek and Shereka Wright; the coaching staff—Kristy Curry, Pam Stackhouse, Kerry Cremeans and Kelly Curry; the athletic trainer—Stacy Romoser; the sports information director—Kathleen Offer; the student athletic trainer—Natasha Draper; and the managers - Hannah Anderson, Lindsey Baker, Joan Grott, Sara Lufkin and Candice Wilkerson.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution. Senate sponsor: Senator Altling.

## MOTIONS TO DISSENT FROM SENATE AMENDMENTS

### HOUSE MOTION

Mr. Speaker: I move that the House dissent from the Senate amendments to Engrossed House Bill 1973 and that the Speaker appoint a committee to confer with a like committee from the Senate and report back to the House.

FRIEND

Motion prevailed.

### HOUSE MOTION

Mr. Speaker: I move that the House dissent from the Senate amendments to Engrossed House Bill 1872 and that the Speaker appoint a committee to confer with a like committee from the Senate and report back to the House.

C. BROWN

Motion prevailed.

### HOUSE MOTION

Mr. Speaker: I move that the House dissent from the Senate amendments to Engrossed House Bill 1845 and that the Speaker appoint a committee to confer with a like committee from the Senate and report back to the House.

C. BROWN

Motion prevailed.

### HOUSE MOTION

Mr. Speaker: I move that the House dissent from the Senate amendments to Engrossed House Bill 2102 and that the Speaker appoint a committee to confer with a like committee from the Senate and report back to the House.

PORTER

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that the House dissent from the Senate amendments to Engrossed House Bill 1591 and that the Speaker appoint a committee to confer with a like committee from the Senate and report back to the House.

FRENZ

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that the House dissent from the Senate amendments to Engrossed House Bill 1307 and that the Speaker appoint a committee to confer with a like committee from the Senate and report back to the House.

BOTTORFF

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that the House dissent from the Senate amendments to Engrossed House Bill 1083 and that the Speaker appoint a committee to confer with a like committee from the Senate and report back to the House.

CHENEY

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that the House dissent from the Senate amendments to Engrossed House Bill 1499 and that the Speaker appoint a committee to confer with a like committee from the Senate and report back to the House.

BAUER

Motion prevailed.

Representatives Bauer, Buell, Espich, Harris, and Turner were excused.

**MOTIONS TO CONCUR  
IN SENATE AMENDMENTS**

HOUSE MOTION

Mr. Speaker: I move that the House concur in the Senate amendments to Engrossed House Bill 2148.

KUZMAN

Roll Call 636: yeas 86, nays 2. Motion prevailed.

Representative Lytle was excused.

HOUSE MOTION

Mr. Speaker: I move that the House concur in the Senate amendments to Engrossed House Bill 2001.

V. SMITH

Roll Call 637: yeas 90, nays 0. Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that the House concur in the Senate amendments to Engrossed House Bill 1926.

CROOKS

Roll Call 638: yeas 88, nays 0. Motion prevailed.

Representative Cochran was excused.

HOUSE MOTION

Mr. Speaker: I move that the House concur in the Senate amendments to Engrossed House Bill 1573.

KUZMAN

Roll Call 639: yeas 84, nays 1. Motion prevailed.

Representative Cherry was excused for the rest of the day.

HOUSE MOTION

Mr. Speaker: I move that the House concur in the Senate amendments to Engrossed House Bill 1122.

FRY

Representative Murphy was excused from voting. Roll Call 640: yeas 75, nays 10. Motion prevailed.

Representatives Avery, Buell, Cochran, Espich, and Turner were present.

HOUSE MOTION

Mr. Speaker: I move that the House concur in the Senate amendments to Engrossed House Bill 1618.

WELCH

Roll Call 641: yeas 88, nays 4. Motion prevailed.

**OTHER BUSINESS ON THE SPEAKER'S TABLE**

HOUSE MOTION

Mr. Speaker: I move that when we do adjourn, we adjourn until Monday, April 23, 2001 at 1:30 p.m.

BARDON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Scholer, Moses, and Mannweiler be added as cosponsors of Engrossed Senate Bill 510.

LYTLE

Motion prevailed.

Pursuant to House Rule 60, committee meetings were announced.

On the motion of Representative Aguilera the House adjourned at 11:00 a.m., this nineteenth day of April, 2001, until Monday, April 23, 2001, at 1:30 p.m.

JOHN R. GREGG

Speaker of the House of Representatives

LEE ANN SMITH

Principal Clerk of the House of Representatives